

03-28-05

AF  
ITJ



Practitioner's Docket No. **EC-6458**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Chuong Diep**

Application No.: **10/623,409**

Group No.: **2832**

Filed: **July 18, 2003**

Examiner: **Marina Fishman**

For: **SWITCH ASSEMBLY**

Mail Stop Appeal Briefs - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF APPEAL BRIEF  
(PATENT APPLICATION—37C.F.R. 1.192)**

Transmitted herewith, is the **APPEAL BRIEF** in this application, with respect to the Notice of Appeal filed on **January 1, 2005**.

**STATUS OF APPLICANT**

This application is on behalf of

- ☒ other than a small entity.
- ☐ a small entity.

A statement

- ☐ is attached.
- ☐ was already filed.

**CERTIFICATION UNDER 37 CFR §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Commissioner for Patents, P.O. Box, Alexandria, VA 22313-1450**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office Addressed to: **Commissioner for Patents, P.O. Box, Alexandria, VA 22313-1450**

Express Mailing Label No.: **EU712716211US - Mandatory**

Date of Deposit \_\_\_\_\_

Date of Deposit **March 25, 2005**

Typed Name: \_\_\_\_\_

Typed Name: **Lisa D. Jones**

Signature \_\_\_\_\_

Signature *Lisa D. Jones*

03/29/2005 CCHAU1 00000008 10623409

02 FC:1251

120.00 0P

**FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile to the Patent and Trademark Office at (703) \_\_\_\_\_

\*Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**FEE FOR FILING APPEAL BRIEF** -- Pursuant to 37 C.F.R. 1.17(c), the fee for filing the Appeal Brief is:

☐ small entity \$250.00  
☒ other than a small entity \$500.00

**Appeal Brief fee due \$500.00**

**Applicant petitions for an extension of time under 37 C.F.R. §1.136**  
**(FEES: 37 C.F.R. §1.17 (1) – (4) for the total number of months checked below:**

EXTENSION	1ST MONTH	2ND MONTH	3RD MONTH	4TH MONTH	
Large Entity	<input checked="" type="checkbox"/> \$120.00	<input type="checkbox"/> \$450.00	<input type="checkbox"/> \$1,020.00	<input type="checkbox"/> \$1,590.00	
Small Entity	<input type="checkbox"/> 60.00	<input type="checkbox"/> 225.00	<input type="checkbox"/> 510.00	<input type="checkbox"/> 795.00	<b>\$120.00</b>

- [ ] An extension for \_\_\_\_\_ month(s) has already been secured and the fee paid therefore of \$\_\_\_\_\_ is deducted from the total fee due for the total month(s) of extension now requested.
- [ ] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**TOTAL FEE DUE FOR THIS APPEAL \$620.00**

**FEE PAYMENT**

- ☒ Attached is a ☒ check ☐ money order in the amount of **\$620.00**
- ☒ Authorization is hereby made to charge the amount of \$\_\_\_\_\_
- ☒ to Deposit Account No. 20-0090.
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

**FEE DEFICIENCY**

- ☒ If any additional extension and/or fee is required, charge Deposit Account No. 20-0090.

**AND/OR**

- ☒ If any additional fee for claims is required, charge Deposit Account No. 20-0090.

Date: **March 25, 2005**

Customer No.: 26,294

Reg. No.: 24,042

  
Signature Of Attorney

**CALVIN G. COVELL**  
**TAROLLI, SUNDHEIM, COVELL & TUMMINO L.L.P.**  
526 Superior Avenue – Suite 1111  
Cleveland, OH 44114-1400  
Tel. No.:(216) 621-2234

*\*Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*